

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SAMANTHA M. in her individual capacity, and as)
parent and natural guardian of Plaintiffs M.M. and)
L.M., minors,)

Plaintiffs,)

vs)

ANDREW STEPANIK, individually, JOHN DOE)
1, individually, and JOHN DOE 2, individually,)

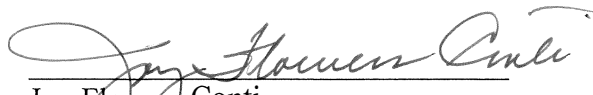
Defendants.)

Civil Action No. 19-800
Judge Conti
Magistrate Judge Dodge

ORDER

AND NOW, this 13th day of March, 2020, after the plaintiffs, Samantha M. in her individual capacity and as parent and natural guardian of minor plaintiffs M.M. and L.M., filed an action in the above-captioned case, and after a motion to dismiss was submitted by defendant Andrew Stepanik, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 13), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant Andrew Stepanik's motion to dismiss (ECF No. 4) is granted with prejudice with respect to Count IV of the Complaint and granted without prejudice to file an Amended Complaint regarding Counts I, II and III that is consistent with the conclusions in the Report and Recommendation.


Joy Flowers Conti
United States District Judge